COMMISSION

COMMISSION DECISION

of 16 February 1981

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses originating in Taiwan

(Only the Dutch and French texts are authentic)

(81/422/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State [1], and in particular Article 3 thereof,

Whereas on 9 February 1981 a request was made under the first paragraph of Article 115 of the Treaty by the governments of the Benelux countries to the Commission of the European Communities for authorization not to apply Community treatment to women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses, falling within subheadings ex 60.05 A II and ex 61.02 B II of the Common Customs Tariff, category 26, originating in Taiwan and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Taiwan is subject, under Commission Regulation (EEC) No 3020/77 [2], as last amended by Regulation (EEC) No 2604/78 [3], to a Community quantitative quota;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community quota between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 the Benelux countries have admitted the products in question in free circulation, which amount approximately to 70 % of the direct quota;

Whereas with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from 5 390 000 pieces in 1978 to 6 886 000 pieces in 1979; whereas the market share taken by those imports has risen from 22 % in 1978 to 26 % in 1979;

Whereas the prices of the products in question originating in Taiwan are considerably below the prices of like products manufactured in the Benelux countries;

Whereas output of like products in the Benelux countries has increased from 10 842 000 pieces in 1978 to 11 496 000 pieces in 1979; whereas the domestic industry's share of the home market has remained at a level of 30 %;

Whereas workers have been affected by these arrangements; whereas instances of reduced working hours have increased considerably;

Whereas further indirect imports, in addition to those already admitted, would be likely to aggravate these

[1] OJ No L 16, 22. 1. 1980, p. 14.
[2] OJ No L 357, 31. 12. 1977, p. 51.
[3] OJ No L 317, 10. 11. 1978, p. 1.

difficulties and jeopardize the aims of the abovementioned commercial policy measures;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to the products indicated below, originating in Taiwan and in free circulation in the other Member States in respect of which applications for import licences were lodged after 1 February 1981:

CCT heading No	Description
ex 60.05 A II and ex 61.02 B II (NIMEXE codes 60.05-41, 42, 43, 44; 61.02-48, 51, 53, 54) (category 26)	Women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until 30 September 1981.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 16 February 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President